UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/707,285	11/01/2000	Michael Brownlie	0500.0008210	8456

7590 07/15/2005

Christopher J. Reckamp
Vedder Price Kaufman & Kammholz
222 North LaSalle Street,
Suite 2600
Chicago,, IL 60601

EXAMINER	
DADA, BEEMNET W	

ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 07/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/707,285	BROWNLIE ET AL.	
	Examiner	Art Unit	
	Beemnet W. Dada	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 April 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-40* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-40* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in reply to an amendment filed on April 29, 2005. Claims 1-40 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-40 are rejected under, 35 U.S.C. 103(a) as being unpatentable over Matyas et al, US Patent 5,164,988, in view of Van Oorschot et al US Patent 5,699,431.

4. As per claims 1, 12, 16, 25, and 29, Matyas discloses a computer network security system having an enforceable security policy (see for example; abstract) comprising: means, operatively coupled to means for providing, for associating a digital signature of a central security policy rule data distribution source (see for example; certification center, col 11 ln 13-25) to the security policy rule data and means for storing the digital signature (see for example col 14 ln 54-col 15 ln 15); and network node means, operatively coupled to the storage means, for periodically obtaining the signature and the variable policy rule data from the means for scoring (see for example, col 16 ln 10-25), and for analyzing policy rule data to facilitate unilateral security policy enforcement at a network node level (see for example; col 9 ln 15-51).

As for obtaining the signature and the policy rule data not from a forwarded signed message, Matyas further discloses using a master key which permits keys stored in a particular system's cryptographic key data set, the key encrypting key establishes a key-distribution channel which can be made unidirectional with at least one other network device or for each other device with which it wishes to communicate (see for example, col 4 ln 1 - col 5 ln 4). One of ordinary skill in the art at the time of the applicant's invention would have realized such a configuration that requires initial establishment and implementation of a network security policy by configuring stored data loaded into each device in the network. Furthermore, the means of specific data retrieval from a storage means that is not from a forwarded signed message is notoriously well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to recognize the providing means not from a forwarded signed message to provide the correct data to communicate with the device being inherently present within such a system.

Matyas does not explicitly teach a variable security policy. However within the same field of endeavor Van Oorschot teaches an efficient management of CRL and update information (see abstract) including storing and managing variable security policy rule data at a network node [column 4, lines 4-44 and abstract], which provides the advantage of efficient and unilateral updating of certificates or signatures. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the method of managing, storing and providing variable security policy rule data as taught by Van Oorschot within the security system of Matyas in order to gain the advantage of efficient and unilateral updating of certificates or signatures.

5. As per claims 2, 13, 17, 26, 35, Matyas-Van Orschot disclose the claim limitations above (see for example claim 1). Matyas further discloses means for providing a user interface means for facilitating selection of security policy rule data (see for example, col 12 ln 56-col 13 ln 14).

6. As per claims 3, 14, 27, Matyas-Van Orschot disclose the claim limitations above (see for example claim 1). Matyas further discloses means for providing the security policy rule data from a data file (see for example; fig 2 and col 13 ln 1-14).

7. As per claims 4, 15, 18, 28, and 36, Matyas-Van Orschot disclose the claim limitations above (see for example claim 1). Matyas further discloses selection of policy rule data on a per network node basis for central policy definition for the at least one network node (see for example, col 11 ln 5-13).

8. As per claims 5, 19, and 37, Matyas-Van Orschot disclose the claim limitations above (see for example claim 1). Matyas further discloses associating a digital signature to the policy rule data to create a policy certificate (see for example, col 11 ln 26-col 12 ln 9).

9. As per claims 6 and 20, Matyas-Van Orschot disclose the claim limitations above (see for example claim 1). Matyas further discloses means for storing policy rule data (see for example, col 5 ln 5-25); and means, operatively coupled to the means for storing, for using policy rule analysis data to decode the policy data to facilitate security policy enforcement at a network node level (see for example, col 11 ln 26-50).

10. As per claims 7, 32, and 38, Matyas-Van Orschot disclose the claim limitations above (see for example claim 1). Van Orschot further discloses variable policy rule data includes at least security policy identification data and policy rule setting data [column 4, lines 4-44 and abstract]

11. As per claims 8 and 21, Matyas-Van Orschot disclose the claim limitations above (see for example claim 1). Van Orschot further discloses variable policy rule data includes policy rule priority ration data [column 4, lines 4-44 and abstract].

12. As per claim 9, Matyas-Van Orschot disclose the claim limitations above (see for example claim 1). As for policy rule data includes policy rule data on a per application basis for a plurality of software applications supported by at least one network node, Matyas further discloses differing policy rules for several applications (clients) supported by the system (see for example, col 11 ln 1-13), therefore the policy rule data includes policy rule data on a per application basis for a plurality of applications (clients) supported by at least one network node.

13. As per claims 10 and 23, Matyas-Van Orschot disclose the claim limitations above (see for example claim 1). Matyas further discloses storing a policy certificate for distribution to the network node under control of the network node (see for example; col 6 ln 58-6 7).

14. As per claim 11, Matyas-Van Orschot disclose the claim limitations above (see for example claim 1). Matyas further discloses stores a policy certificate for distribution to the network nodes under control of the means for associating (see for example; col 9 ln 15-51).

15. As per claims 22 and 31, Matyas-Van Orschot disclose the claim limitations above (see for example claim 16). Matyas further discloses policy rule data includes differing policy rule data for a plurality of software applications supported by at least one network node (see for example; col 11 ln 1-13).

16. As per claim 24, Matyas-Van Orschot disclose the claim limitations above (see for example claim 1). Matyas further discloses stores a policy certificate for distribution to the network nodes under control of a network server (see for example; fig 1 and col 10 ln 41 -61). Network servers are well known in the art to provide services such as distribution of data to network nodes. One of ordinary skill in the art at the time of the applicant's invention would have recognized the certification authority to be such a network server for controlling distribution of policy certificates in such a system.

17. As per claim 30, Matyas-Van Orschot disclose the claim limitations above (see for example claim 29). Matyas further discloses means for storing policy rule data (see for example, col 5 ln 5-25), and wherein the means for analyzing the policy rule data includes means for storing policy rule analysis data for evaluating the policy rule data (see for example; col 11 ln 42-50) and means, operatively coupled to the means for storing and the means for storing policy rule analysis data, for using the policy rule analysis data to decode the policy rule data to facilitate security policy enforcement at a network level (see for example, col 11 ln 26-50).

18. As per claim 33, Matyas-Van Orschot disclose the claim limitations above (see for example claim 29). Matyas further discloses the policy rule data includes policy rule prioritization data (see for example, col 6 ln 44-53; trust realm is prioritized through which ream should be

selected when more than one common realm exists) and wherein the means for periodically obtaining obtains a digital signature corresponding to the policy rule data (see for example, col 11 ln 26-col 12 ln 9).

19. As per claim 34, Matyas discloses means for storing programming instructions (see for example col 12 ln 10-20) that facilitate storing security policy rule data for use by a network node (see for example col 14 ln 54col 15 ln 15); and means for storing programming instructions (see for example col 12 ln 10-20) that facilitate providing the security policy rule data for distributions to at least one network node (see for example, col 16 ln 10-25) to facilitate unilateral security policy enforcement at a network level (see for example; col 9 ln 15-51).

As for obtaining policy rule data not from a forwarded signed message, Matyas further discloses using a master key which permits keys stored in a particular system's cryptographic key data set, the key encrypting key establishes a key-distribution channel which can be made unidirectional with at least one other network device or for each other device with which it wishes to communicate (see for example, col 4 ln 1 - col 5 ln 4). One of ordinary skill in the art at the time of the applicant's invention would have realized such a configuration that requires initial establishment and implementation of a network security policy by configuring stored data loaded into each device in the network. Furthermore, the means of specific data retrieval from a storage means that is not from a forwarded signed message is notoriously well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to recognize the providing means not from a forwarded signed message to provide the correct data to communicate with the device being inherently present within such a system

Matyas does not explicitly teach a variable security policy. However within the same field of endeavor Van Oorschot teaches an efficient management of CRL and update information

(see abstract) including storing and managing variable security policy rule data at a network node [column 4, lines 4-44 and abstract], which provides the advantage of efficient and unilateral updating of certificates or signatures. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the method of managing, storing and providing variable security policy rule data as taught by Van Oorschot within the security system of Matyas in order to gain the advantage of efficient and unilateral updating of certificates or signatures.

20. As per claim 39, Matyas-Van Oorschot disclose the claim limitations above (see for example claim 1). Matyas farther discloses central security policy rule data distribution source is a certification authority (see for example; certification authority, col 10 ln 62-65).

21. As per claim 40, Matyas-Van Oorschot disclose the claim limitations above (see for example claim 1). Van Oorschot further discloses variable policy rule data includes policy rule data on a per node basis [column 4, lines 4-44 and abstract].

Response to Arguments

22. Applicant's arguments filed 04/29/2005 have been fully considered but they are not persuasive. Applicant argues that the combination of Matyas and Van Oorschot fails to teach storing and managing variable security policy rule data at a network node. Examiner disagrees.

23. Examiner would point out that Van Oorschot teaches an efficient management of CRL and update information (see abstract) including storing and managing variable security policy rule data at a network node [column 4, lines 4-44 and abstract]. Specifically Van Oorschot

teaches storing and managing part of a certificate information that is variable (i.e., revocation status) by a certificate authority [see column 4, lines 5-15]. It is true that Van Oorschot teaches utilizing a delta mechanism to update information in certificates, however the cited portions of Van Oorschot also teaches storing variable security policy ruled data (i.e., storing at a Certificate Authority information about certificate revocation lists) and the method of delta mechanism is used to update certificates. Examiner asserts that the combination of Matyas and Van Oorschot teaches the claimed limitations therefore the rejection is respectfully maintained.

Conclusion

24. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W. Dada whose telephone number is (571) 272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Primary Examiner
Art Unit 2135

Beemnet Dada

July 7, 2005